

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 009438

ORIGIN OES-06

INFO OCT-01 EA-07 ISO-00 HEW-04 L-03 AID-05 NSF-01 CIAE-00

INR-07 NSAE-00 IO-13 /047 R

DRAFTED BY OES/APT/BMP:WJWALSH, III

APPROVED BY OES/APT:OHGANLEY

OES/APT/BMP:JFRY

HEW/OIH:JKING

-----150101Z 050415 /64

P 142300Z JAN 77

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

LIMITED OFFICIAL USE STATE 009438

FOR SCICOUNS JUSTIN BLOOM

E.O. 11652: N/A

TAGS: TPHY, OSCI, JA

SUBJECT: DRAFT US-JAPAN COOPERATIVE AGREEMENT IN HEALTH,
BIOMEDICAL RESEARCH AND REHABILITATION

THE FOLLOWING IS A DRAFT OF THE PROPOSED "UMBRELLA" HEALTH
AGREEMENT WITH JAPAN WHICH HEW HAS SUBMITTED TO THE
DEPARTMENT FOR REVIEW.

'AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF JAPAN ON COOPERATION IN THE
FIELDS OF HEALTH, BIOMEDICAL RESEARCH, AND REHABILITATION

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE
GOVERNMENT OF JAPAN:

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 009438

REALIZING THE IMPORTANCE TO SOCIETY OF ACHIEVING AND MAIN-
TAINING AN ADEQUATE LEVEL OF HEALTH FOR ALL PEOPLE;

RECOGNIZING THE IMPORTANT ROLE PLAYED BY HEALTH, BIOMEDICAL
RESEARCH, AND REHABILITATION PROGRAMS IN IMPROVING THE
QUALITY OF LIFE OF A SOCIETY;

BUILDING ON EXISTING COOPERATION IN THE HEALTH FIELD WHICH HAS EVOLVED OVER THE PAST TWENTY YEARS WITH GREAT SUCCESS; DESIRING TO INCREASE COMMUNICATIONS AND COLLABORATIVE ACTIVITIES BETWEEN OUR TWO SCIENTIFIC COMMUNITIES;

RECOGNIZING THE DESIRABILITY OF JOINING IN A COMMON EFFORT TO PROMOTE THE FURTHER DEVELOPMENT OF HEALTH;

AND IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE BINATIONAL REVIEW PANEL ON SCIENTIFIC AND TECHNOLOGICAL COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF JAPAN, MARCH, 1976;

HAVE AGREED TO AN EXPANDED HEALTH COOPERATION ACCORDING TO THE FOLLOWING TERMS AND CONDITIONS:

ARTICLE 1

THE SIGNING PARTIES HEREBY AGREE TO DEVELOP AND EXTEND MUTUALLY BENEFICIAL COOPERATION IN THE FIELDS OF HEALTH, INCLUDING BIOMEDICAL RESEARCH, AND REHABILITATION. IN ORDER TO EFFECT SUCH COOPERATION, THE PARTIES WILL ENCOURAGE AND FACILITATE THE ESTABLISHMENT OF REGULAR FORMAL AND INFORMAL CONTACTS BETWEEN UNITED STATES AND JAPANESE MEDICAL INSTITUTIONS AND ORGANIZATIONS AND SCIENTISTS. RECOGNIZING THE IMPORTANCE OF TECHNOLOGY TO SUCCESSFUL RESEARCH EFFORTS, THE PARTIES ALSO WILL ENCOURAGE AND FACILITATE EXCHANGES OF EQUIPMENT, PHARMACEUTICAL PRODUCTS, AND TECHNOLOGICAL DEVELOPMENTS IN LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 009438

THE FIELDS OF HEALTH AND REHABILITATION. SPECIFIC ACTIVITIES UNDERTAKEN AS PART OF THIS COOPERATION MAY INCLUDE:

A. COLLABORATIVE SCIENTIFIC RESEARCH PROGRAMS AND OTHER ACTIVITIES IN HEALTH AND REHABILITATION FIELDS OF MUTUAL INTEREST;

B. EXCHANGES OF INDIVIDUALS AND DELEGATIONS;

C. COLLOQUIA, WORKSHOPS, SCIENTIFIC CONFERENCES, AND LECTURES;

D. EXCHANGE OF SCIENTIFIC AND TECHNICAL PUBLICATIONS AND INFORMATION;

E. TECHNICAL CONSULTATION AND ADVICE ON INDIVIDUAL RESEARCH ACTIVITIES;

F. EXCHANGE OF MATERIALS, DRUGS AND BIOLOGICALS.

LIMITED OFFICIAL USE

ARTICLE 2

ALL COOPERATIVE ACTIVITIES UNDERTAKEN UNDER THE SPONSORSHIP OF BOTH PARTIES AND THE TERMS OF THIS AGREEMENT WILL COLLECTIVELY BE KNOWN AS THE UNITED STATES-JAPAN COOPERATIVE HEALTH, BIOMEDICAL RESEARCH, AND REHABILITATION PROGRAM HERINAFTER REFERRED TO AS THE PROGRAM. THIS PROGRAM WILL INCORPORATE ALL ONGOING FORMAL COOPERATIVE HEALTH AND REHABILITATION ACTIVITIES AND ALLOW FOR THE EXPANSION OF ACTIVITIES INTO NEW AREAS. THE PROGRAM WILL INITIALLY INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING SUBSTANTIVE AREAS:

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 STATE 009438

A. BIOMEDICAL RESEARCH

B. HEALTH AND REHABILITATION ACTIVITIES

C. OTHER ACTIVITIES AS MUTUALLY AGREED

ARTICLE 3

THE PARTIES WILL DELEGATE THE PRACTICAL IMPLEMENTATION OF THIS AGREEMENT TO THE ASSISTANT SECRETARY FOR HEALTH, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE FOR THE GOVERNMENT OF THE UNITED STATES AND TO FOR THE GOVERNMENT OF JAPAN. THESE TWO RESPONSIBLE AGENTS SHALL BE IDENTIFIED AS PRINCIPAL COORDINATORS AND SHALL BE ACCOUNTABLE FOR ALL ACTIVITIES UNDER THE PROGRAM.

THE PRINCIPAL COORDINATORS SHALL APPOINT SUCH PROGRAM COORDINATORS IN THE MAJOR SUBSTANTIVE AREAS AS NECESSARY FOR THE PURPOSES OF ADEQUATE PROGRAM COORDINATION AND MANAGEMENT. THESE PROGRAM COORDINATORS SHALL NOT EXCEED FOUR FROM EACH PARTY UNLESS BOTH PARTIES AGREE THAT MORE ARE WARRANTED.

THE PRINCIPAL COORDINATOR AND THEIR PROGRAM COORDINATORS SHALL CONSTITUTE A UNITED STATES-JAPAN JOINT COMMITTEE FOR HEALTH, BIOMEDICAL RESEARCH, AND REHABILITATION COOPERATION. DECISIONS TO UNDERTAKE COOPERATION IN ANY NEW MAJOR SUBSTANTIVE AREA UNDER THE PROGRAM OR TO CEASE COOPERATION IN AN EXISTING MAJOR SUBSTANTIVE AREA WILL REQUIRE THE APPROVAL OF THE JOINT COMMITTEE. DEVELOPMENT, MANAGEMENT, MODIFICATION OR TERMINATION OF ACTIVITIES

WITHIN EACH MAJOR SUBSTANTIVE AREA SHALL BE THE RESPONSIBILITY OF THE COOPERATING INDIVIDUAL TECHNICAL INSTITUTIONS. THE PRINCIPAL COORDINATORS FROM BOTH PARTIES WILL BE ADVISED AS SUCH CHANGES OCCUR.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 05 STATE 009438

THE JOINT COMMITTEE SHALL MEET AT LEAST ONCE EVERY TWO YEARS TO REVIEW AND EVALUATE THE PROGRAM. AT THIS TIME, THE JOINT COMMITTEE MAY IDENTIFY NEW MAJOR SUBSTANTIVE AREAS, OR RECOMMEND SPECIFIC COOPERATIVE ACTIVITIES.

ARTICLE 4

COOPERATION SHALL BE UNDERTAKEN IN ACCORDANCE WITH APPLICABLE LAWS OF BOTH PARTIES AND SUBJECT TO THE AVAILABILITY OF FUNDS. IT SHALL BE FINANCED ON THE BASIS OF RECIPROCAL ARRANGEMENTS WORKED OUT BY THE JOINT COMMITTEE USING THE RESOURCES OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OF THE GOVERNMENT OF THE UNITED STATES AND THE OF THE GOVERNMENT OF JAPAN, AS WELL AS THE RESOURCES OF INSTITUTIONS PARTICIPATING IN DIRECT INSTITUTIONAL COOPERATION.

ARTICLE 5

THE PARTIES WILL AFFORD APPROPRIATE INTERNATIONAL ORGANIZATIONS SUCH AS WHO THE OPPORTUNITY OF DRAWING ON THE KNOWLEDGE GAINED BY THE PARTIES, INCLUDING KNOWLEDGE GAINED IN THE COURSE OF THEIR JOINT EFFORTS.

ARTICLE 6

EACH PARTY SHALL USE ITS BEST EFFORTS TO FACILITATE ENTRY TO AND EXIT FROM ITS TERRITORY OF PERSONNEL AND EQUIPMENT OF THE OTHER COUNTRY, ENGAGED ON OR USED IN PROJECTS AND PROGRAMS UNDER THIS AGREEMENT.

ARTICLE 7

A. SCIENTIFIC AND TECHNICAL INFORMATION OF A NON- PROPRIETARY NATURE DERIVED FROM THE COOPERATIVE ACTIVITIES CONDUCTED UNDER THIS AGREEMENT SHALL BE MADE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 06 STATE 009438

AVAILABLE TO THE WORLD SCIENTIFIC COMMUNITY THROUGH

CUSTOMARY CHANNELS AND IN ACCORDANCE WITH THE NORMAL PROCEDURES OF THE PARTICIPATING AGENCIES.

B. THE DISPOSITION OF PATENTS, DESIGNS AND OTHER INDUSTRIAL PROPERTY ARISING FROM THE COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT WILL BE PROVIDED FOR IN THE IMPLEMENTING ARRANGEMENTS MADE PURSUANT TO THIS AGREEMENT.

ARTICLE 8

THE SIGNING PARTIES ENVISAGE THAT SIMILAR ARRANGEMENTS FOR COOPERATION IN THE AREAS OF SOCIAL WELFARE AND SOCIAL SECURITY WILL BE DEVELOPED.

ARTICLE 9

THIS AGREEMENT SHALL ENTER INTO FORCE UPON SIGNATURE AND SHALL REMAIN IN FORCE FOR FIVE YEARS. IT MAY BE MODIFIED OR EXTENDED BY MUTUAL AGREEMENT OF THE PARTIES. THE TERMINATION OF THIS AGREEMENT SHALL NOT BY ITSELF AFFECT THE VALIDITY OR DURATION OF ANY COOPERATIVE ACTIVITIES BEGUN UNDER IT. THIS AGREEMENT SHALL UPON ENTRY INTO FORCE, SUPERSEDE ALL PREVIOUS AGREEMENTS IN THE FIELDS OF HEALTH AND REHABILITATION IN FORCE BETWEEN THE PARTIES AT THAT TIME.

DONE AT THIS DAY OF , 1977,
IN THE ENGLISH AND JAPANESE LANGUAGES, BOTH TEXTS BEING
EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF JAPAN:

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 07 STATE 009438

ACTION REQUESTED: DRAFT AGREEMENT HAS JUST BEEN RECEIVED AND IS UNDERGOING REVIEW WITHIN THE DEPARTMENT. REQUEST EMBASSY REVIEW AND COMMENT ON THE AGREEMENT TO ENABLE US TO FORMULATE DEPARTMENT-WIDE POSITION AND PREPARE FINAL DRAFT PRIOR DISCUSSIONS WITH JAPANESE FOREIGN OFFICE. CIRCULAR 175 CLEARANCE INITIATED TODAY. THIS MUST BE COMPLETED BEFORE DISCUSSIONS WITH JAPANESE. IN VIEW COOPERATIVE MEDICAL SCIENCE PROGRAM MEETING HONOLULU FEBRUARY 3-4, WOULD APPRECIATE PROMPT CABLE RESPONSE TO SPEED PREPARATION FINAL DRAFT FOR SUBMISSION JAPANESE FOREIGN OFFICE.

KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, HEALTH, MEDICAL RESEARCH
Control Number: n/a
Copy: SINGLE
Sent Date: 14-Jan-1977 12:00:00 am
Decapton Date: 01-Jan-1960 12:00:00 am
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE009438
Document Source: CORE
Document Unique ID: 00
Drafter: WJWALSH, III
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770015-0578
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770149/aaaabraj.tel
Line Count: 277
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e72671d9-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3590558
Secure: OPEN
Status: NATIVE
Subject: DRAFT US-JAPAN COOPERATIVE AGREEMENT IN HEALTH, BIOMEDICAL RESEARCH AND REHABILITATION THE FOLLOWING IS A DRAFT OF THE PROPOSED 'UMBRELLA'
TAGS: TPHY, OSCI, JA, US
To: TOKYO
Type: TE
vdkgwkey: odbc://SAS/SAS.dbo.SAS_Docs/e72671d9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009